Supreme Court, U.S.
FILED
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(1)

No.

IN THE

Supreme Court of the United States

Albert E. Cuneo,
Petitioner,

vs.

Alexandra K. Cuneo,
Respondent.

ON PETITION FOR WRIT OF CERTIORARI TO THE SUPREME COURT OF PENNSYLVANIA

PETITION FOR WRIT OF CERTIORARI

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6418

PRESENTATION OF QUESTIONS FOR REVIEW

1. Were the constitutional rights of the petitioner properly determined as provided by the United States Constitution?

2. Were the rights of the petitioner, with emphasis on the petitioner's right of appeal, and equal protection under the law, properly administered in context with the Constitution of Pennsylvania and its statutory authority and provisions considering the Corporations and Unincorporated Associations Code (Title 15 Pa.C.S.A.), and the Pennsylvania Domestic Code (Title 23 Pa.C.S.A.) relating to support, property, and contracts with properly unobstructed equitable considerations adjudicated to the petitioner?

TABLE OF CONTENTS

Cover page

Questions for Review ..... i.

Table of Contents ii

Tables of Authorities iii

Basis of Jurisdiction ..... 1.

Constitutional and Statutory References 1.

Statement of the Case ..... 17.

Reasons for granting the writ ..... 21.

Conclusion ..... 25.

Appendix A ..... 26.

Appendix B ..... 30.

Appendix C ..... 53.

TABLE OF AUTHORITIES

Federal Case References

American Bank & Trust Co. v. Trinity Universal Insurance Company,
251 La 445, 205 So.2d 35, 40. ..... 23.

Boyne v State ex rel. Dickerson,
80 Nev. 160,390 P.2d 225, 227. ..... 22.

Clark v. National Aid Life Ass'n,
177 Okl. 137 57 P.2d 832, 833. ..... 23.

Dorfman v. Dorfman,
Tex. Civ. App. 457 S.W. 2d 417, 422. .... 24.

Dorsey v. Solomon,
D.C. Md. 435 F.Supp, 725, 733. .... 22.

Gilles v. Dept of Human Resources Dev.,
11 Cal.3d 313, 113 Ca.Reptr. 374,
380, 521 P.2d 110. ..... 24.

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174 Okl. 473, 50 P.2d 680, 684. ..... 23.

Morris Flying Service v. Deming Nat. Bank,
C.A. N.M., 404 F.2d 856, 861. ..... 23.

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27 Cal.App, 3d 246, 103 Cal.Reptr 536, 543. 22.

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181 Md. 195, 29 A.2d 290, 293. . . . . 23.

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C.A. N.D. 558 F.Supp F.2d 1318, 1320 23.

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28 U.S.C section 1257(a) . . . . . 1.

U.S. Const. Art. I . . . . . 1.

U.S. Const. Art. III s.1 . . . . . 2.

U.S. Const. Art. IV s.1 . . . . . 2.

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U.S. Const. Art. IV s.4 . . . . . 2.

U.S. Const. Art. VI [2] . . . . . 3.

U.S. Const. Art. VII Am.1 . . . . . 3.

U.S. Const. Art. VII Am.2 . . . . . 3.

FEDERAL STATUTES, RULES AND CONSTITUTIONAL REFERENCES

U.S. Const. Art. VII Am.4 ..... 3.

U.S. Const. Art. VII Am.5 ..... 4.

U.S. Const. Art. VII Am.6 ..... 4.

U.S. Const. Art. VII Am.7 ..... 4.

U.S. Const. Art. VII Am.8 ..... 4.

U.S. Const. Art. VII Am.11 ..... 5.

U.S. Const. Art. VII Am.13 ..... 5.

U.S. Const. Art. VII Am.14 ..... 5.

U.S. Const. Art. VII Am.14s.4 ..... 5.

U.S. Const. Art. VII Am.15 ..... 6.

Fed. R. Civ. P. 2 ..... 22.

Fed. R. Civ. P. 60(b) 24

18 U.S.C. section 241 ..... 6.

28 U.S.C. section 1343 ..... 6.

29 U.S.C. section 206 ..... 7.

42 U.S.C. s.1983; 1985(2)(3) ..... 6.

FEDERAL STATUTES, RULES AND CONSTITUTIONAL REFERENCES

42 U.S.C. section 1994 ..... 6.

CONGRESSIONAL ACTS AND SITES OF CODIFICATION

Civil Rights Act ..... 6.

Emplopees Income Retirement Security Act
29 U.S.C. section 1001 et seq. ..... 6.

Equal Credit Opportunity Act
15 U.S.C. section 1691 et seq ..... 6.

Equal Access to Justice Act
42 U.S.C. section 1988 ..... 6.

Truth in Lending Act
15 U.S.C. section 1601 et seq. ..... 6.

Declaratory Judgements Act
28 U.S.C. s. 2201 and 2202 ..... 6.

Fair Credit Reporting Act
15 U.S.C. section 1681 ..... 7.

Embezzlement Act
18 U.S.C. section 645 ..... 7.

Equal Employment Opportunity Act
42 U.S.C. section 2000(e) ..... 7.

CONGRESSIONAL ACTS AND SITES OF CODIFICATION

Internal Revenue Code
26 U.S.C. section 61(a) et seq. ..... 7.

Federal Tort Claims Act
28 U.S.C. sections 1291, 1346, 1504, 2110, 2401, 2401, 2402, 2411, 2412, and 2671 to 268 7.

Equal Pay Act
29 U.S.C. section 206 ..... 7.

SUBORDINATE REFERENCES TO THE CONSTITUTION OF PENNSYLVANIA

Pa Const. Art. 1 s.1 ..... 7.

Pa Const. Art. 1 s.6 ..... 8.

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Pa Const. Art. 1 s.19 ..... 9.

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Pa Const. Art. 1 s.21 ..... 9.

Pa Const. Art. 1 s.26 ..... 10.

SUBORDINATE REFERENCES TO THE CONSTITUTION OF PENNSYLVANIA

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REFERENCES TO PENNSYLVANIA CONSOLIDATED STATUTES

Corporations and Unincorporated Associations

15 Pa C.S.A. s.110 ..... 10.

15 Pa C.S.A. s.132 ..... 10.

15 Pa C.S.A. s.1713 ..... 10.

15 Pa C.S.A. s.1767 ..... 10.

15 Pa C.S.A. s.1768 ..... 10.

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15 Pa C.S.A. s.1984 ..... 11.

15 Pa C.S.A. s.1985 ..... 11.

15 Pa C.S.A. s.1986 ..... 11.

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The Domestic Code of Pennsylvania

23 Pa C.S.A. s.3321 ..... 11.

23 Pa C.S.A. s.3323 ..... 11.

23 Pa C.S.A. s.3502 ..... 12.

23 Pa C.S.A. s.3503 ..... 15.

23 Pa C.S.A. s.3504 ..... 15.

23 Pa C.S.A. s.3505 ..... 15.

23 Pa C.S.A. s.3506 ..... 15.

23 Pa C.S.A. s.3507 ..... 15.

23 Pa C.S.A. s.3701 ..... 15.

23 Pa C.S.A. s.4102 ..... 15.

23 Pa C.S.A. s.4104 ..... 16.

23 Pa C.S.A. s.4105 ..... 16.

23 Pa C.S.A. s.4305 ..... 16.

23 Pa C.S.A. s.4306(a)(b) ..... 16.

23 Pa C.S.A. s.4321 ..... 16.

REFERENCES TO PENNSYLVANIA CONSOLIDATED STATUTES

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23 Pa C.S.A. s.4322 ..... 16.

23 Pa C.S.A. s.4363(a)(b) ..... 16.

23 Pa C.S.A. s.4364(a)(b) ..... 16.

23 Pa C.S.A. s.4365 ..... 16.

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42 Pa C.S.A. s.8321 ..... 16.

OPINIONS BELOW

The decision of the state Supreme Court is reported at No. 810 Western District Allocatur Docket 1998. The decision of the court of appeals is reported at No. 1628 Pittsburgh 1997. The decision of the trial court is reported at No. 420 Washington County 1990. Site of Publication is unknown.

BASIS FOR JURISDICTION

The final judgement was entered in the form of an order by the Supreme Court of Pennsylvania refusing to grant allocatur on petition for review. On March 3, 1999, the directive was made part of the record in this action, which has been filed timely. The 90th day following the entry of the order was a legal holiday, therefore this Court has jurisdiction to review the order of the state Supreme Court pursuant to 28 U.S.C. section 1257(a).

CONSTITUTIONAL, STATUTORY, AND REGULATORY PROVISIONS INVOLVED FOLLOWING PREAMBLE:

United States Constitution, Article 1 section IX & X

No Bill of Attainder or ex post facto law shall be passed. (at X) make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

United States Constitution, Article III, section 1

The judicial power of the United States, shall be vested in one supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services a Compensation, which shall not be diminished during their Continuance in Office.

United States Constitution, Article IV, section 1

Full Faith and Credit shall be given in each State to the Public Acts, Records, and judicial proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, records or Proceedings shall be proved, and the Effect thereof.

United States Constitution, Article IV, section 2

The Citizens of each State shall be entitled to all privileges and Immunities of Citizens in the several States.

Unites States Constitution, Article IV, section 2[3]

No person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall in Consequence of any Law or Regulation therein, be discharged from such Service of Labour, but shall be delivered up on Claim of the Party to whom such service or Labour may be due.

United States Constitution, Article IV, section 4

The United States shall guarantee to every State in this Union a Republican Form of

Government, and shall protect each of them against Invasion; and on application of the Legislature, or of the Executive (when Legislature cannot be convened) against domestic violence.

United States Constitution, Article VI paragraph 2

This Constitution, and Laws of the United States which shall be made in the Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the contrary notwithstanding.

United States Constitution, Article VII, Amend. I

Congress shall make no Law respecting the establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people to peaceably assemble, and to petition the Government for a redress or grievances.

United States Constitution, Article VII, Amend. II

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

United States Constitution, Article VII, Amend. IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the

place to be searched, and persons or things to be seized.

United States Constitution, Article VII, Amend. V

; nor shall any person be subject to the same offence to be twice put in jeopardy of life or limb; nor shall any person be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty or property, without due process of Law; nor shall private property be taken for public use, without just compensation.

United States Constitution, Article VII, Amend. VI

In All criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of accusation; to be confronted with witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

United States Constitution, Article VII, Amend. VII

In Suits at common law, where the value of the controversy shall exceed twenty dollars, the right to trial by jury shall be preserved, and no fact tried by jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

United States Constitution, Article VII, Amend. VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual

punishment be inflicted.

United States Constitution, Article VII, Amend XI

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

United States Constitution, Article VII, Amend XIII

Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

United States Constitution, Article VII, Amend. XIV

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

United States Constitution, Article VII, Amend. XIV section 4

The validity of the public debt of the United States, as authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned.

United States Constitution, Article VII Amend. XV

The right of the citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color or previous condition of servitude.

ACTS OF CONGRESS; PUBLIC LAWS

Civil Rights Act, R.S. s 1979; P.L. 96-170 s 1 Dec. 29, 1979, 93 Stat. 1284, codified at U.S.C. 18 section 241; U.S.C. 42 section 1983 and 1985(2)(3); and U.S.C 28 section 1343.

Civil Rights Act, U.S.C 42 section 1994.

Employees Retirement Income Security Act, P.L. 93-406, 88 Stat. 829, codified at U.S.C 29 section 1001 et seq.

Equal Credit Opportunity Act, P.L. 93-495, 88 Stat. 1521, codified at U.S.C 15 section 1691 et seq.

Equal Access to Justice Act, P.L. 94-559 Stat. 2321, codified at U.S.C. 42 section 1988(a).

Truth in Lending Act or Consumer Protection Act, P.L. 90-321, 82 Stat. 146 section 101 - 1114, codified at U.S.C. 15 section 1601 et seq.

Declaratory Judgements Act, codified at 28 U.S.C. 2201 and 2202.

Fair Credit Reporting Act, P.L. 91-508, 84 Stat. 1114, codified at U.S.C. 15 section 1681.

Embezzlement Act, P.L. May 29, 1920, c 212, 41 Stat. 630, codified at U.S.C. 18 section 645.

Equal Employment Opportunity Act, P.L. 88-352, 78 Stat. 241, codified at U.S.C. 42 section 2000e et seq.

Internal Revenue Code, codified at U.S.C. 26 section 61(a) et seq.

Federal Tort Claims Act, codified at 28 U.S.C. sections 1291, 1346, 1402, 1504, 2110, 2401, 2402, 2411, 2412, 2671 through 2680.

Equal Pay Act, codified at 29 U.S.C. section 206.

Appropriate sections of the Code of Federal Regulations are incorporated by reference to Public Law, as cited above.

SUBORDINATE REFERENCES TO THE CONSTITUTION OF PENNSYLVANIA

Constitution of the Commonwealth of Pennsylvania Article 1 section 1; Inherent Rights of Mankind

> All men are born equally free and independent, and have certain inherent and indefeasible rights, among which are those of enjoying and defending life, liberty, of acquiring, possessing and protecting property and reputation, and of pursuing their own happiness.

Constitution of the Commonwealth of Pennsylvania Article 1 section 6: Trial by jury.

> Trial by jury shall be as heretofore, and the right thereof remain inviolate. The General Assembly may provide, however, by law, that a verdict may be rendered by not less than five-sixths of the jury in any civil case.

Constitution of the Commonwealth of Pennsylvania Article 1 section 8: Security from searches and seizures.

> The people shall be secure in their persons, houses, papers and possessions from unreasonable searches and seizures, and no warrant to search any place or to seize any person or things shall issue without describing them as nearly as may be, nor without probable cause, supported by oath or affirmation subscribed by the affiant.

Constitution of the Commonwealth of Pennsylvania Article 1 section 10: Initiation of criminal proceedings; twice in jeopardy; eminent domain.

> Except as hereinafter provided no person shall, for any indictable offense, be proceeded against criminally by information, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger, or by leave of the courts of common pleas may, with the approval of the supreme court, provide for the initiation of criminal proceedings therein by information filed in the manner provided by law. No person shall, for the same offense, be twice put in jeopardy of life or limb; nor shall private property be taken or applied to public

use, without authority of law and without just compensation being first made or secured.

Constitution of the Commonwealth of Pennsylvania Article 1 section 11; Courts to be open; suits against the Commonwealth.

All courts shall be open; and every man for an injury done him in his lands, goods, person or reputation shall have remedy by due course of law, and right and justice administered without sale, denial or delay. Suits may be brought against the Commonwealth in such manner, in such courts and in such cases as the Legislature may by law direct.

Constitution of the Commonwealth of Pennsylvania Article 1 section 19; Attainder limited.

No attainder shall work corruption of blood, nor except during the life of the offender, forfeiture of his estate to the Commonwealth.

Constitution of the Commonwealth of Pennsylvania Article 1 section 20; Right of Petition

The citizens have a right in a peaceable manner to assemble together for their common good, and to apply those invested with the powers of government for redress of grievances or other proper purposes, by petition, address or remonstrance.

Constitution of the Commonwealth of Pennsylvania Article 1 section 21; Right to Bear Arms.

The right of the citizens to bear arms in defence of themselves and the state shall not be questioned.

Constitution of the Commonwealth of Pennsylvania Article 1 section 26: No discrimination by the Commonwealth or its political subdivisions.

> Neither the Commonwealth nor any political subdivisions thereof shall deny to any person the enjoyment of any civil right, nor discriminate against any person in the exercise of any civil right.

Constitution of the Commonwealth of Pennsylvania Article 5 section 9: Right of Appeal.

> There shall be a right of appeal in all cases to a court of record from a court not of record; there shall also be a right of appeal from a court of record or from an administrative agency to a court of record or to an appellate court, the selection of such court to be as provided by law; and there shall be other such rights of appeal as provided by law.

SUBORDINATE REFERENCES TO SELECTED ANNOTATED PENNSYLVANIA STATUTES

Corporations and Unincorporated Associations:
15 Pa.C.S.A. Section 110. Supplementary general principles of law applicable;
Section 132: Functions of Department of State;
Section 1713: Personal liability of directors;
Section 1767: Appointment of custodian of corporation on deadlock or other cause;
Section 1768: Voting trusts and other agreements among shareholders;
Section 1981: Proceedings upon application of shareholder or director;
Section 1982: Proceedings upon application of

creditors;
Section 1984: Appointment of receiver pendente lite and other interim powers;
Section 1985: Liquidating receiver;
Section 1986: Qualifications of receivers.

Pennsylvania Domestic Code;
23 Pa.C.S.A. section 3321; Hearing by master.
23 Pa.C.S.A. Section 3323; Decree of court

(a) General rule.-In all matrimonial causes, the court may either dismiss the complaint or enter a decree of divorce or annulment of the marriage.

(b) Contents of decree.-A decree granting a divorce or an annulment shall include, after a full hearing, where these matters are raised in any pleadings, an order determining and disposing of existing property rights and interests between the parties, custody, partial custody and visitation rights, child support, alimony, reasonable attorney fees, costs and expenses and any other related matters including the enforcement of agreements voluntarily entered into between the parties. In the enforcement of the rights of any party to any of these matters, the court shall have all necessary powers, including but not limited to, the power of contempt and the power to attach wages.

(c) Bifurcation.-In the event that the court is unable for any reason to determine and dispose of the matters provided for in subsection (b) within 30 days after the report of the master has been filed, it may enter a

decree of divorce or annulment. Upon the request of either party and after a hearing, the court may order alimony pendente lite, reasonable counsel fees, costs and expenses and may make a temporary order necessary to protect the interests of the parties pending final disposition of the matters in subsection (b).

(e) Costs.-The court may award costs to the party in whose favor the order or decree shall be entered or may order that costs be divided equitably as it shall appear just and reasonable.

(f) Equity power and jurisdiction of the court.-In all matrimonial causes, the court shall have full equity power and jurisdiction and may issue injunctions or other orders which are necessary to protect the interest of the parties or to effectuate the purposes of this part and may grant such other relief or remedy as equity and justice require against either party or against any third person over whom the court has jurisdiction and who is involved in or concerned with the disposition of the cause.

1990, Dec. 19, P.L. 1240, No. 206, Section 2, effective in 90 days.

23 Pa.C.S.A. Section 3502; Equitable division of marital property;

(a) **General Rule**-In an action for divorce or annulment, the court, shall upon request of either party, equitably divide, distribute or assign, in kind or otherwise, the marital

property between the parties without regard to marital misconduct in such proportions and in such manner as the court deems just after considering all relevant factors, including: (1) Length of the marriage. (2) any prior marriage of either party. (3) The age, health, station, amount and sources of income, vocational skills, employability, estate, liabilities and needs of the parties. (4) The contribution by one party to the education, training or increased earning power of the other party. (5) The opportunity of each party for future acquisitions of capital assets and income. (6) The sources of income of both parties, including, but not limited to medical, retirement, insurance or other benefits. (7) The contribution of dissipation of each party in the acquisition, preservation, depreciation or appreciation of the marital property, including the contribution of a party as a homemaker. (8) The value of the property set apart to each party. (9) The standard of living of the parties established during the marriage. (10) The economic circumstances of each party, including Federal, State and local tax ramifications, at the time the division of property is to become effective. (11) Whether the party will be serving as the custodian of any dependent minor children. (b) **Lien**-The court may impose a lien or charge upon a property of a party as security for the payment of alimony or any other award for the other party. (c) **Family Home**-The court may award during

the pendency of the action or otherwise, to one or both of the parties the right to reside in the marital residence. (d) **Life Insurance**-The court may direct the continued maintenance and beneficiary designations of existing policies insuring the life or health of either party which were originally purchased during the marriage and owned by or within the effective control of either party. Where it is necessary to protect the interests of a party, the court may also direct the purchase of, and beneficiary designations on a policy insuring the life or health of either party. (e) **Powers of the court**-If, at any time, a party has failed to comply with an order of equitable distribution, as provided for in this chapter or with the terms of an agreement as entered into between the parties, after hearing, the court may, in addition to any other remedy available under this part, in order to effect compliance with its order: (1) enter judgement; (2) authorize the taking and seizure of goods and chattels and collection of rents and profits of the real and personal tangible and intangible property of the party; (3) award interest on unpaid installments; (4) order and direct the transfer or sale of any property required in order to comply with the court's order; (5) require security to insure future payments in compliance with the court's order; (6) issue attachment proceedings, directed to the sheriff or other proper officer of the county, directing that person named as having failed to comply with

> the court order to be brought before the court, at such time as the court may direct. If the court finds, after hearing, that the person willfully failed to comply with the court's order, it may deem the person in civil contempt of court and, in its discretion, make an appropriate order, including, but not limited to, commitment of the person to the county jail for a period not to exceed six months; (7) award counsel fees and costs; (8) attach wages; (9) find the party in contempt.

23 Pa.C.S.A. section 3503; Effects of divorce on property rights generally.

23 Pa.C.S.A. section 3504; Disposition of property after termination of marriage.

23 Pa.C.S.A. section 3505(a)(b)(c)(d)(e); Disposition of property to defeat obligations.

23 Pa.C.S.A. section 3506; Statement of reasons for distribution.

23 Pa.C.S.A. section 3507; Division of entireties property between divorced persons.

23 Pa.C.S.A. section 3701; Alimony (a) General rule; (b) Factors relevant; (c) Duration; (d) Statement of reasons; (e) Modification and termination; (f) Status of agreement to pay alimony.

23 Pa.C.S.A section 4102; Proceedings in case of debts contracted for necessaries.

23 Pa.C.S.A. section 4104; Right of married person to separate earnings.

23 Pa.C.S.A. section 4105; Loans between married persons.

23 Pa.C.S.A. section 4305; General administration of support matters.

23 Pa.C.S.A. section 4306(a)(b); Duties of District Attorney.

23 Pa.C.S.A. section 4321; Liability for Support.

23 Pa.C.S.A. section 4322; Support Guidelines.

23 Pa.C.S.A. section 4363(a)(b); Trustee to distribute proceeds of sale.

23 Pa.C.S A. section 4364(a)(b); Credit to plaintiff who purchases property.

23 Pa.C.S.A section 4365; Rights of divorced person in entireties property sold for support. See further, Pa. R. Civ. P. 1910.16 (1-5)

42 Pa.C.S.A. section 8321 et seq. (Tortfeasors contribution Act).

STATEMENT OF THE CASE

The Constitution of the United States, having conferred the supreme authority of the law and of the land upon this Honorable Court, provides a direct means of redress of the grievances contained in this petition.

Under the Laws of the Church, Nation and state, the petitioner and respondent were joined in a manner widely known as matrimony. Following the codification of the contract and the union, the parties became owners of a substantial amount of real and personal property located in the County of Washington, Commonwealth of Pennsylvania.[1]

Following the creation of a solvent substantial marital estate, the respondent filed suit in various counts seeking the dissolution of marital bonds with a request for equitable treatment and distribution of estate property on January 30, 1990.[2]

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[1] For further reference, a full account of real property transactions has been made upon the record in the Washington County Recorder of Deeds Office under the following names: Albert E. Cuneo; Alexandra K. Cuneo or Alexandra Kusturiss; M.E.K. Enterprises, a partnership; Angel One, Incorporated; A.E. Cuneo & Associates R.E., Inc. and M.L.M. Enterprises, a partnership. These references include any encumbrance by reference to mortgages, secured notes, affidavits, or declarations as the same may appear of record. The corporations named are filed with the Department of State, Commonwealth of Pennsylvania.

[2] The action for termination of marriage was filed with the Office of the Prothonotary of Washington County, naming the petitioner and respondent as parties, and the

Termination of the marital union was decreed by the court of common pleas of the county aforesaid on March 31, 1993. Following said decree, the respondent petitioned for the appointment of a receiver and the request was granted on December 22, 1993. The receivership was terminated on June 27, 1997, after administration and land title liquidation providing an account in the amount of $602,510.18.[3]

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petitioner as the defendant party at No. 90-420. In connection with the initial complaint, the petitioner filed a counter complaint naming the respondent as a defendant party in that action. Other actions followed as a result of delay, neglect financial manipulation caused in the duration of the domestic claims, discharged in 1997. These additional complaints may be reviewed under the following names; Albert E. Cuneo, A.E. Cuneo Real Estate, A.E. Cuneo Construction, A.E. Cuneo & Associates Real Estate, Inc., Alexandra K. Cuneo or Alexandra Kusturiss. Appeals relative to all actions of record may be reviewed as filed with the Superior Court of Pennsylvania sitting at Pittsburgh, and the Supreme Court of Pennsylvania for the Western District. Other smaller claims be reviewed in the inferior courts of common pleas or their appropriate magisterial districts in the 5th, 10th and 27th Judicial Districts of the Commonwealth of Pennsylvania.

[3] Appendix "B" contains orders of the trial court dismissing the petitioners claims for payment in exchange for services rendered to part of the marital estate identified as A.E. Cuneo & Associates Real Estate, Inc. and orders discharging a receivership imposed in 1993. In 1978 the petitioner was licensed as a Real Estate Salesperson in the Commonwealth of Pennsylvania. In 1983, the petitioner was licensed as a Real Estate Broker (No. AB 43822-A). In 1992, the petitioner was licensed as a Certified General Real Estate Appraiser (No. GA 00800-L) under the provisions of the Financial Institutions Recovery and Reform Act of 1989, as administered by the Commonwealth of Pennsylvania. In 1998, the petitioner qualified

While the receivership was in existence the petitioner made every effort possible to mitigate the its effects by filing a class action suit in United States District Court for the Western District of Pennsylvania. The complaint was followed by two additional applications, the first being a complaint for payment of health care benefits by the respondent and a request for payment on a personal injury, after reliance upon financial representations made by the respondent, and the second, for relief of disabilities under the Uniform Firearms Act, as a result of a rejected application for a personal protection firearm permit in the county aforesaid on February 10, 1995.[4]

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as a Certified General Real Estate Appraiser and was granted a certificate therefor, in the Commonwealth of Virginia (No. 4001-004434).

[4] The class action suit may be reviewed in the United States District Court for the Western District of Pennsylvania at CV 95-0147. Subsequent claims were filed at 98-213 with a related appeal filed at 98-3439 in the United States Court of Appeals for the Third Circuit; and Misc. 98-34. Procedure for relief from disabilities is set forth in 18 Pa C.S.A. section 6101 et seq. The Pennsylvania Uniform Firearms Act makes carrying a firearm for personal protection or for the protection of property without a license a third degree felony as provided by the Act 1995-17 (SS1) et seq. Further codification are set forth under F.R.C.P. 27(a) and 18 U.S.C. sections 241, 925(c), 927, 1962(c)(d), and 1964(c). The presence or absence of disabilities may be construed in support actions filed by the petitioner and respondent in the Domestic Relations division of the trial court at 37-DR-1991 and 203-DR-1991. All pleadings filed in U.S. District Court at Misc 98-34 were returned on directive of the court, in anticipation of a complaint in substitute of the petition under 42 U.S.C. section 1983.

During the period of years in marital coverture, other marital properties either real or personal reported the following income from date of inception through 1992: M.E.K. Enterprises (Tax I.D. 25-1354560) $8,031,008; Angel One Incorporated $21,661,087; M.L.M. Enterprises (Tax I.D. 25-1556855) $754,630. The market values of the properties recited above were made part of the record before the trial court, however, the petitioner believes that the trial court relied upon information as set forth by experts in reaching its determination in alimony, property distribution, and contract rights of the respective parties.

Following the final decrees of the trial court, the petitioner followed with the appropriate applications in appellate procedure. The ruling of the Superior Court of Pennsylvania is shown in Appendix "A". The trial court decrees, orders and directives are shown in Appendix "B". And the ruling of the State Supreme Court is shown in Appendix "C".

Judicial procedure in the administration of the claims of the parties requires that justice issue without sale, denial or delay, which is otherwise guaranteed by applicable provisions of United States Constitution. Nowhere, in the applications of record in the trial court, or any appellate court is there any finite directive for payment of claims, as defined above, to the petitioner.

REASONS FOR GRANTING THE WRIT

I. THIS CASE WITH ITS RELATED REFERENCES, PRESENTS IMPORTANT QUESTIONS OF LAW ABOUT THE EXTENT, WHICH IS INCONSISTENT WITH THE CONSTITUTION, IN UNDERSTANDING THE LIMIT OF WHAT IS A REASONABLE COURSE BY INFERIOR COURTS OVER ASSETS, PROPERTY, CONTRACTS AND THE WELL BEING OF LITIGANTS WHILE WAITING, IN A CIVIL MANNER FOR FINAL DISTRIBUTION OF THEIR RIGHTS.

This case presents the important question of whether regulation, which forbids access to rights guaranteed under the applicable sections of the United States Constitution, subordinated by public law, the Constitution of Pennsylvania and its applicable statutes, which provide for the well being of our population acting as one well informed protected person, assuming guarantees to freedom and liberty, can be obstructed before being made good at a greater cost to the obstructionist.

There can be no justification for the terms of years caused in administration by inferior courts on claims which can clearly be determined, whether rights vest in contract, property, or some other intangible means in light of a clear and distinct record.

There is no reason that can explain why a term spanning nearly 8 years, with assets and income in excess of $30,000,000.00 could not be determined after reasonable preponderance of

unmitigated facts. The state appellate court system used a carte blanc dismissal method in denying the petitioner a right of appeal, which was followed by refusal on the part of the state supreme court to redress the situation in a manner that is prescribed as a right by the Constitution of the United States and the State. These conditions are presented as a matter of equality in

> [t]he condition of possessing the rights, privileges and immunities, and being liable to substantially the same duties. Equality is guaranteed under the equal protection clause and is equality under the same conditions and among persons similarly situated; classifications must not be arbitrary and must be based upon some difference in classes having substantial relation to legitimate objects to be accomplished.

{See: Boyne v. State ex rel. Dickerson, 80 Nev. 160, 390 P.2d 225, 227 and People v. Jacobs, 27 Cal.App.3d 246, 103 Cal Reptr. 536, 543 and Dorsey v. Solomon, D.C. Md., 435 F. Supp. 725, 733}

The process in this case has, by all definitions defeated the meaning of equitable distribution between married persons, through judicial application, which caused the business concerns of the petitioner to be equitably wasted through a course of years in unnecessary administration processes directed by the trial court. What was left was a badly devalued asset, and worthless stock in the asset base created by the petitioner, which now at least in part, obstructs the petitioner's right efforts to equal pay in his profession, as a self employed individual. {See: Ramifications of the

Equal Pay Act and Usery v. Richman, C.A. N.D., 558 F.2d 1318, 1320. 29 U.S.C. 206}

The state courts and the respondent can not dispute the estopped status of the petitioner, evidenced by the applications and manipulations in the record of this action, which further defeats the concept of just and equitable courts, established for the well being of the people, and based upon the trust the people have in their court system. {See American Bank & Trust Co. v. Trinity Universal Insurance Co., 251 La. 445, 205 So.2d 35, 40; and Rody v. Doyle, 181 Md. 195, 29 A.2d 290, 293; and Clark v. National Aid Life Ass'n, 177 Okl. 137, 57 P.2d 832, 833; and Fipps v Stidham, 174 Okl. 473, 50 P.2d 680, 684} The process invoked by the trial court, while the higher inferior courts either quashed ~~or~~ denied the petitioner's request for redress has left the petitioner's remaining property as collateral in the nature of equitable liens, after a substantial amount had already been executed in equitable judgement by an appointee of the court, without a breach of any contract, or other just cause. {Morris Flying Service v. Deming Nat. Bank, C.A.N.M., 404 F.2d 856, 861; and Owensboro Banking Co. v. Lewis, 269 Ky. 277, 106 S.W.2d 1000, 1004; See Further F.R.C.P. 2}

Clearly, there can be no anticipation of equity in justice administered at present, without this Honorable Court granting this request for a writ. The condition of the petitioner, as influenced by financial depletion, has relegated the financial ability of the petitioner by regression, in terms of financial means, compared to that which was once enjoyed before the intervention of the trial court in

the administration of matters beyond its control. As a result, the petitioner has lost precious time waiting for these determinations to be made by the court, and the state appellate court system, which may cause the petitioner to be time barred in an attempt to make independent actions to correct the wrongs committed upon the petitioner by the trial court. These applications have neither followed the rules of equity or the rule of law. {See Gilles v. Department of Human Resources Development, 11 Cal.3d 313, 113 Cal.Reptr. 374, 380, 521 P.2d 110; and Dorfman v. Dorfman, Tex.Civ.App. 457 S.W.2d 417, 422 see also F.R.C.P 60(b)}

In summary, the petitioner has been made to sustain years of judicial applications, without being in possession of his assets or financial means, after December of 1993. These applications have been made within the charge of the trial court based upon a contract, which may be considered an unreasonable indenture of the petitioners life.[5] This case is set upon real events, which have not been paid for under a reasonable standard considering fair or equal pay or the loss thereof. This action represents extreme elements in fraud, trespass and obstruction taking various forms. If the actions in this case are allowed to go unquestioned or unrevised, they will provide a dangerous precedent.

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[5] The application to marry was filed on October 13, 1977, and may be located in the Office of the Register of Wills of Washington County, Book Vol 48 page 364. The application clearly sets out the occupation of the petitioner as being an apartment manager for residential real estate. Said application was filed by the Rev. Michael L. Pastrikos on November 1, 1977 at 11:05 am.

impairing personal rights for many. For this reason, and those which clearly appear in this action, a writ of certiorari is necessary to the State Supreme Court to hear an appeal.

Other actions before inferior courts, including but not limited to the inferior appellate courts of this particular region have been made of record and clearly show, the methods of causation for this request.

CONCLUSION

For the foregoing reasons, the petition for a writ of certiorari should be granted.

Respectfully Submitted,

Albert E. Cuneo,
Pro Se Petitioner

APPENDIX A

J. A22022/98:

In the Superior Court or Pennsylvania

Alexandra K. Cuneo,

Appellee,

v.

Albert E. Cuneo, Appellant.

Appeal from the Order in the Court of Common Pleas of Washington County, Civil Division, No. 90-420

Before: McEwen, P.J., Tamilia and Kelly, JJ.

JUDGEMENT ORDER FILED: AUGUST 13, 1998

Albert Cuneo, pro se, appeals from the June 27, 1997 equitable distribution Order in which the master's findings were adopted in full and all but one recommendation, requiring appellant to pay appellee, $10,000, was adopted.

Appellee has filed a motion to quash arguing appellant has failed to conform with a myriad of applicable Rules of Appellate Procedure, including Rules 2101, **Conformance with requirements**; 2117, **Statement of the case**; 2118, **Summary of argument**; 2119, **Argument**; and 2135, **Length of briefs**. Upon careful review of the record, and with particular concentration on appellant's brief, we find this appeal must be quashed. While we recognize appellant has filed his brief pro se, this does not excuse his failure to conform to the Rules. Even

with the most generous allowances for pro se drafting, where the brief "ignores and seriously undermines the Rules of Appellate Procedure", the appeal be quashed. **Commonwealth v. Hill**, 632 A.2d 298, 929 (Pa. Super. 1993), citing **Commonwealth v. Jones**, 477 A.2d 882, 883 (Pa. Super. 1984). In addition to the many procedural errors, appellant's arguments are incoherent and in many instances impossible to decipher. Based upon the foregoing, the appeal is quashed.

Appeal quashed.

The Superior Court of Pennsylvania
Office of the Prothonotary
1015 Grant Building
Pittsburgh, Pennsylvania 15219

David A. Szewczak, Esquire
Prothonotary

Eleanor R. Valecko
Deputy Prothonotary

September 16, 1998

Mr. Albert Cuneo
P.O.Box 626
Bethel Park, PA 15102-0626

In Re: Alexandra K. Cuneo, Appellee -v- Albert E. Cuneo, appellant No. 1628 Pittsburgh 1997

Dear Mr. Cuneo:

The Court has entered the following Order on the Petition For Special Relief, filed by appellant in the above-captioned matter:

"ORDER OF COURT

AND NOW, to-wit, this 16th day of September, 1998, upon consideration of appellant's Petition for Special Relief, said petition is hereby DENIED.

PER CURIAM"
Very truly yours,
Eleanor R. Valecko
DEPUTY PROTHONOTARY

ERV/tdt
cc: Steven Robert Wolf, Esq.
Daniel Francis Svidro, Esq.
Honorable D. Gilmore

APPENDIX B

In the Court of Common Pleas of
Washington County, Pennsylvania
Civil Division

Albert E. Cuneo	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. 91-6623
	)	
A.E. Cuneo & Associates	)	
Real Estate, Inc.	)	
	)	
Defendant.	)	

Findings and Order

Gilmore, J.
Sept. 7, 1993,

This matter is before the Court on a Petition to Strike Judgment. After hearing the Court makes the following findings:

1. The Plaintiff and Petitioner were husband and wife and each owned 50% of the stock of the Defendant.

2. The Plaintiff filed a Judgment Note in his favor with the Defendant as obligor on 10-30-91 in the face amount of $251,581.00

3. The Plaintiff signed the Note on behalf of the Defendant in his capacity as President.

4. When the Note was signed it was after the Plaintiff and Petitioner had developed marital problems and were separated.

5. The Petitioner was unaware of the meetings or other business dealings giving rise to the authority to the Plaintiff to execute the Note.

6. The Defendant received no consideration for the Note other than past work performed by the Plaintiff which is not supported by the records of the corporation.

ORDER

AND NOW, this 7 day of Sept, 1993, the Petition is granted and the Judgment stricken. Further, the Judgment Note is declared null and void. This is entered without prejudice to any claims the Plaintiff has in Equitable Distribution involving the Defendant.

BY THE COURT:

_____

David L. Gilmore, J.

In the Court of Common Pleas of
Washington County, Pennsylvania
Civil Division

Alexandra K. Cuneo,	)	
	)	
Plaintiff,	)	
vs.	)	No. 90-420
	)	
Albert E. Cuneo,	)	
	)	
Defendant.	)	

ORDER

AND NOW, this 22 day of December, 1993, after a hearing on petition for emergency relief, the Court is satisfied that the actions of the Defendant, Albert E. Cuneo, threaten the economic welfare of marital assets to the degree that relief is appropriate pursuant to the Divorce Code 23 Pa.C.S.A. Section 3323(f). it is, therefore, ordered:

1. The Defendant is hereby enjoined from selling, conveying, encumbering, alienating or otherwise disposing of any real property owned in his name jointly with the Plaintiff wife or in the name of A. E. Cuneo & Associates Real Estate, Inc.

2. The Court hereby appoints William E. Speakman, Esquire, to act as receiver of the corporation known as A.E. Cuneo & Associates Real Estate, Inc., and also of the jointly held rental real property.

3. Said receiver shall immediately inventory the assets and liabilities and shall assume full control thereof. The Defendant shall cooperate with the receiver and shall take all steps necessary to transfer to the receiver management and control of the corporate assets, as well as the corporate records and books, and the jointly owned rental real property immediately.

4. The receiver shall review the corporate books for the period of time 1989 to the present and shall ascertain whether the Defendant has complied with the by-laws and the requirements of the Pennsylvania Business Corporation law.

5. The receiver shall review all income and expense ledgers and business transactions of the corporation and the Defendant with respect to the corporation and jointly owned rental real property.

6. The receiver shall be empowered to retain a qualified realtor to manager the rental real property owned by the corporation and by the parties jointly.

7. The receiver shall report to the Court as to this findings as soon as is practicable.

8. As the Master in Divorce has completed the testimony and is now in a position to make a recommendation to the Court respecting the economic issues remaining to be decided, a copy of this Order shall be provided to the Master. The receiver shall provide a copy of his findings to the

Divorce Master as well as the parties.

BY THE COURT:

_____, J.
David L. Gilmore, Judge

In the Court of Common Pleas of
Washington County, Pennsylvania
Civil Division

Alexandra K. Cuneo,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. 90-420
	)	
Albert E. Cuneo,	)	

SUPPLEMENTAL ORDER

AND NOW, this 24 day of January, 1994 upon application of William E. Speakman, Jr., Esq., Receiver, and after considering the arguments made by interested parties in open Court, due notice of the proceeding having been given, it is hereby ORDERED and DECREED:

1. That this Order shall be considered a supplement to the Order of December 22, 1993, and does not supersede any portion of that Order.

2. That the scope of the duties of the Receiver shall include not only the analysis of all business records and transactions of A. E. Cuneo & Associates Real Estate, Inc. (hereinafter referred to as the corporation), from January 1, 1989, to the present, but to manage, conduct and control all phases of the current business of the corporation, including, without limitation, securing listings, marketing listings and managing rental real estate

for others under contract with the corporation.

3. That insofar as the Receiver finds it impossible or impractical to conduct the business of the corporation because of the regulations of the Pennsylvania State Real Estate Commission, the Receiver is excused from the duties imposed by this Order.

4. That the Defendant is again directed to cooperate fully with the Receiver and to take no action which is contrary to the Order of December 22, 1993, the Defendant shall promptly deliver to the Receiver the following:

a. State income tax returns for the corporation covering the period beginning January 1, 1989, to the present.

b. Federal income tax returns for the corporation covering the period beginning January 1, 1989, to the present.

c. Any financial statements prepared for the corporation for the period beginning January 1, 1989, to the present or any part of that period.

d. Copies of any management contracts between the corporation and the owner of rental real estate.

e. Data regarding any active listing contracts.

f. Corporate minute book, stock transfer ledger, blank stock certificates, if any, and corporate by-laws.

g. Copies of any correspondence to or from the State Real Estate Commission for the period beginning January 1, 1994, to the present.

h. All checkbooks and check registers for the period beginning January 1, 1989, to the present.

i. Name and address of any accountants who performed any services for the corporation at any time after January 1, 1989.

j. Name and address of any associate real estate brokers who were affiliated with the corporation at any time after January 1, 1989. Indicate the period of affiliation.

k. Name and address of any licensed salespersons who were affiliated with the corporation at any time after January 1, 1989. Indicate the period of affiliation.

l. List of all properties for which the corporation acted as broker of record at any time after January 1, 1989, together with information regarding the disposition (e.g. sold, terminated) of the listing.

m. Copies of any contracts to which the corporation was a party which were in effect at any

time after January 1, 1989.

BY THE COURT:

_____J.
David L. Gilmore

In the Court of Common Pleas of
Washington County, Pennsylvania
Civil Division

Alexandra K. Cuneo,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. 90-420
	)	
Albert E. Cuneo,	)	
	)	
Defendant.	)	

ORDER

AND NOW, this 23 day of May, 1994, the fees of Receiver, William E. Speakman, Jr., for services performed through and including May 23rd, 1994, are approved in the amount of $35,0000, the fees of the Receiver shall be paid to William R. Speakman, Jr., by A.E. Cuneo & Associates Real Estate, Inc., upon sale of real estate

_____J.
David L. Gilmore

In the Court of Common Pleas of
Washington County, Pennsylvania
Civil Division

A. E. Cuneo, Individually,	)	
	)	
Plaintiff,	)	
	)	
	)	
v.	)	NO. 94-3277
	)	
William E. Speakman, Jr.	)	
Esq. (Receiver) and	)	
A.E. Cuneo and Associates	)	
Real Estate, Inc.	)	
	)	
Defendant,	)	

ORDER

AND NOW, this 11 day of July, 1994, after notice being given to Albert E. Cuneo on July 6, 1994, by facsimile transmission and United States mail, first class, postage prepaid, of intention to present the within Petition to Strike Judgment at Motions Court on July 11, 1994, the judgment recorded in the above captioned matter is hereby struck. Any fees are waived.

_____J.
David L. Gilmore

In the Court of Common Pleas of
Washington County, Pennsylvania
Civil Division

Alexandra K. Cuneo,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. 90-420
	)	
Albert E. Cuneo,	)	
	)	
Defendant.	)	

ORDER

AND NOW, this 27 day of June, 1997, after consideration of the record, after a hearing and upon motion, due notice having been given, it is hereby ORDERED and DECREED:

1. That the Final Report of the Receiver is accepted, the original having been filed with the Prothonotary, and that the Final Report of the Receiver is approved.

2. That the Receivership is terminated, effective immediately.

3. That the actions of the Receiver are hereby approved and the Receiver is hereby discharged, effective immediately.

4. That the responsibility for all tax returns due after January 1, 1997, which have not been filed shall be the responsibility of the owner(s) of the stock of A. E. Cuneo & Associates Real Estate, Inc., and shall not be the responsibility of the Receiver. This shall not be interpreted or construed as a limitation of the discharge set forth in Paragraph 3 hereof.

5. That with respect to any litigation involving Albert E. Cuneo or A. E. Cuneo & Associates Real Estate, Inc., in which the Receiver has been involved:

a. Responsibility of the Receiver for said litigation is terminated.

b. Responsibility for said litigation shall be upon Albert E. Cuneo with respect to litigation involving him.

c. Responsibility for said litigation shall be upon the owner(s) of the stock of A. E. Cuneo & Associates Real Estate, Inc., with respect to litigation involving it.

d. Liabilities, recoveries and costs with respect to said litigation shall follow the assignment of responsibility.

e. This shall not be interpreted or construed as a limitation of the discharge set forth in Paragraph 3 of hereof.

6. That with respect to any litigation involving Albert E. Cuneo or A. E. Cuneo & Associates Real

Estate. Inc., in which the appearance of William E. Speakman, Jr., Esq., or Daniel F. Svidro, Esq., or Speakman, Riethmuller & Svidro has been entered:

a. By means of this order, such appearance is withdrawn.

b. Neither Mr. Speakman, Mr. Svidro nor the firm of Speakman, Riethmuller & Svidro will have any responsibility with respect to such litigation.

c. This shall not be interpreted or construed as a limitation of the discharge set forth in Paragraph 3 hereof.

7. That the Receiver is relieved from the responsibility for paying any bills, claims, taxes or charges assessed to or against Albert E. Cuneo or A. E. Cuneo & Associates Real Estate, Inc. This shall not be interpreted or construed as a limitation of the discharge set forth in Paragraph 3 hereof.

8. That the Receiver shall forward all mail he receives pertaining to what was within the purview of the Receivership:

a. To Albert E. Cuneo, P. O. Box 626, Bethel Park, Pennsylvania, 15102, or to such other addresses Mr. Cuneo may in writing provide, through September 30. 1997.

b. The Receiver may discard mail received after September 30. 1997.

9. That the Receiver shall send a copy of this Order to:

a. The Washington County Housing Authority

b. All tenants in properties owned by A. E. Cuneo & Associates Real Estate. Inc.

c. G. Clayton Nestler, Esq.

d. Janet Pickering, Internal Revenue Service

e. Pennsylvania Department of Revenue

f. Washington County Tax Claim Bureau

g. Borough of Canonsburg, Building Inspector

h. DeLucia & DeZomba Insurance Agency

i. Utility companies providing service to properties owned by A. E. Cuneo & Associates Real Estate, Inc.

j. National City Bank of Pennsylvania

k. Washington Federal Savings Bank

l. Canonsburg-Houston Joint Sewer Authority

m. Counsel for the Plaintiff

n. Others who the Receiver may determine should receive a copy.

10. That to the extent possible, the Receiver shall return to Albert A. E. Cuneo the originals of any files, documents, minute books or records which Mr. Cuneo delivered to the Receiver. The Receiver shall also deliver to Mr. Cuneo any security deposits from tenants residing in properties owned by A. E. Cuneo & Associates Real Estate, Inc. and any keys to said units.

BY THE COURT:

_____J.
David L. Gilmore

In the Court of Common Pleas of
Washington County, Pennsylvania
Civil Division

Alexandra K. Cuneo,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. 90-420
	)	
Albert E. Cuneo,	)	
	)	
Defendant.	)	

MEMORANDUM

This matter is before the Court on the Third and Final Account of the Receiver appointed to conserve the assets of A. E. Cuneo and Associates Real Estate, Inc. The Court having received that final report and have accepted it by Order filed this date, the Court will rule upon the Recommendations of the Master in Divorce. This Court previously entered a Divorce Decree between the parties and only equitable distribution remains to be decided.

After a review of the file and the transcripts and with the Court's own knowledge from in excess of a dozen proceedings involving this case, the Court finds the Findings and Conclusions therein supported by the evidence. The Court not only accepts the report, but adopts the findings as the Findings of the Court. The only disagreement the

Court has is the recommendation to require Mr. Cuneo to pay $10,000.00 to Mrs. Cuneo. Given this Court's knowledge of the defendant's current financial affairs, the Court finds this unnecessary. Otherwise, the Decree in Equitable Distribution filed this date and orders terminating the Receivership are final orders in regard to the divorce.

/s/ David L. Gilmore, , J.

DATE: 6-27-97.

In the Court of Common Pleas of
Washington County, Pennsylvania
Civil Division

Alexandra K. Cuneo,	)	
	)	
Plaintiff,	)	
	)	
vs	)	No. 90-420
	)	
Albert E. Cuneo,	)	
	)	
Defendant.	)	

DECREE IN EQUITABLE DISTRIBUTION

AND NOW, this 27th day of June, 1997, based upon the Recommendations and Report of the Master and the Memorandum filed herewith, a final order of equitable distribution is hereby ORDERED and DECREED as follows:

1. Wife shall retain all personal property currently in her possession.

2. Husband shall retain all personal property currently in his possession.

3. Husband shall retain his 1988 Jeep Cherokee or proceeds from the sale thereof.

4. Wife shall retain the 1983 Mercedes Benz or the proceeds from the sale thereof.

5. Husband shall retain his ownership interest and all value in the real estate company known as A. E. Cuneo & Associates Real Estate Inc. Husband shall also be responsible for any debt, liabilities, taxes, liens or judgments which may be assessed against said business or due and owing as a result of the operation of the business after the parties' date of separation which has been determined to be September 1, 1989. Husband shall indemnify and hold Wife harmless with respect to any outstanding liabilities.

6. Husband shall be credited with having received the balance in the Washington Federal Savings account in the amount of $25,931.00.

7. Husband shall retain his construction equipment having a value of $15,500.00.

8. Husband shall be credited with having received the net proceeds from the redemption of his IRA, Keough account and life insurance for a total amount of $26,292.12.

9. Husband shall be responsible for all outstanding loans to First National Bank, now Integra, which were incurred by the parties and which have been increased by Husband since the date of separation.

10. Wife shall retain the real estate commission currently being held in escrow in the amount of $10,000.00. The escrow agent shall pay over to Wife said sum as part of her marital share.

11. Wife shall retain the proceeds from the redemption of her IRA in the amount of $4,050.00.

12. Husband shall retain the proceeds from the sale of the quarter horses in the amount of $6,000.00.

13. Each of the parties shall be responsible for their own counsel fees.

14. Neither of the parties presented any testimony with respect to alimony; therefore, there is no award of alimony.

15. Wife shall receive the net proceeds, if any, from the sale of the parties's real property currently in the hands of the receiver.

16. Husband shall be responsible for the payment of any outstanding liability lien or judgment against the property held by the receiver if the assets are not sufficient to defray such expense.

/s/ David L. Gilmore, J.

In the Court of Common Pleas of
Washington County, Pennsylvania
Civil Division

Alexandra K. Cuneo,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 90-420
	)	
Albert E. Cuneo,	)	
	)	
Defendant.	)	

ORDER

AND NOW, this 27 day of June, 1997, after consideration of the record, after a hearing and upon, motion, due notice having been given, it is hereby ORDERED and DECREED that the Exceptions of Albert E. Cuneo to the Third and Final Account of the Receiver as supplemented in open Court are dismissed.

BY THE COURT:

/s/_____J.
David L. Gilmore

In the Court of Common Pleas of
Washington County, Pennsylvania
Civil Division

Alexandra K. Cuneo, Now Known as Alexandra Kusturiss, Plaintiff, v. Albert E. Cuneo, Defendant.	)	No. 90-420

ORDER

AND NOW, this 27th day of June, 1997, the Petition styled Petition for Indemnification and request to Assess Liability for Costs and Damages is denied. The request for the issuance of a Rule thereon is denied.

/s/ David L. Gilmore, J.

APPENDIX C

In the Supreme Court of Pennsylvania
Western District

Alexandra K. Cuneo,	:	No. 810
	:	Western District
Respondent,	:	Allocatur Docket
	:	1998
	:	
v.	:	Petition for
	:	Allowance of
	:	Appeal from Order
	:	of the Superior
	:	Court
Albert E. Cuneo,	:	
	:	
Petitioner.	:	

ORDER

PER CURIAM

AND NOW, this 3rd day of March, 1999, the Petition for Allowance of Appeal is hereby DENIED.

A true Copy Patricia Honard
As of: March 3, 1999
Attest: /s/ Patricia Honard
Chief Clerk
Supreme Court of Pennsylvania

Supreme Court of Pennsylvania
Western District

Amy J. Ceraso, Esquire
Deputy Prothonotary
Candace Y. Fry

March 3, 1999

TO: Mr. Albert Cuneo

Re: Alexandra K. Cuneo
Respondent,
v.
Albert E. Cuneo
Petitioner.

No. 0810 W.D. Allocatur Docket 1998

Dear Counsel:

This is to advise you that the attached order has been entered on the Petition for Allowance of Appeal filed in the above-captioned matter.

Very truly yours,

Office of the Prothonotary
Supreme Court of Pennsylvania

/kap
c: Honorable David L. Gilmore
Washington; NO. 90-420; Civil
Steven R. Wolf, Esquire